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April 8, 2002

Commissioner for Patents Box CPA Washington, DC 20231

Re: Filing Continued Prosecution Application

Dear Sir:

Enclosed for filing please find a Continued Prosecution Application entitled:

METHOD FOR IDENTIFYING MUTANTS AND MOLECULES

by William F. Dove Alexandra Shedlovsky

The undersigned hereby certifies that this document is being deposited with the United States Postal Service today, April 8, 2002, by the "Express Mail" service, utilizing Express Mail label number ET924501567US, addressed to: Commissioner for Patents, Box CPA, Washington, DC 20231.

Please indicate receipt of this application by returning the attached postcard with the official Patent and Trademark Office receipt and serial number stamped thereon.

Respectfully submitted,

QBMAD\328928 Enclosures 04-09-02

PTO/SB/29 (08-00)

Approved for use through 10/31/2002, OMB 0651-0032
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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CONTINUED	PROSECUTION	<b>APPLICATION</b>	(CPA
MIR H	<b>REQUEST TRAN</b>	SMITTAL	

Submit an original and a duplicate for fee processing (Only for Continuation or Divisional applications under 37 CFR 1.53(d) CHECK BOX, If applicable DUPLICATES

TRADE

ADDRESS TO;

**Box CPA Commissioner for Patents** Washington, D.C. 20231

Attorney Docket No.	960296.95491	<del>111</del>	
First Named Inventor	William F. Dove	160	201
Examiner Name	J. Woitach	0/29	2
Group/Art Unit	1632	8	
Express Mail Label	FT924501567US		

This is a request for a	X continuation or	divisional application	on under 37 CFR 1.53(d)
(continued prosecution ap	oplication (CPA) of prior	application number	09/114,973 .
filed on <u>07/14/1998</u> ,	entitled <u>METHOD FOR I</u>	DENTIFYING MUTAN	ITS AND MOLECULES

## **NOTES**

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty year patent term provisions of 35 U.S.C.§ 154(a)(2). Therefore the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b),

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing data of the request for CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 27 CFR 1.14 to access to, copies of, or information concerning the prior application may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted if a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such a request, 37 CFR 1.78(a).

1. Enter the unentered amendment previously filed onunder 37 CFR 1.116 in the prior nonprovisional application.  2 X A preliminary amendment is enclosed
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).  a. DELETE the following inventor(s) named in the prior nonprovisional application:
b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed.
a. 📈 PTO-1449
b. X Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. QBMAD\328918

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CLAIMS	(1) FOR	(2) NUMBER FI	LED (3) N	IUMBER EXTRA	(4) RA	TE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(C))	26 - 20*	=	6	X \$18	=	\$ 108.00
	INDEPENDENT CLAIMS (37 CFR 1.16(B))	2 - 3**	=	0	X \$	=	\$
	MULTIPLE INDEPENDEN	T CLAIMS (IF APPL	ICABLE) 37	CFR 1.16(d))	X \$	=	\$
1 2					BASIC (37 CFR		\$ 740.00
				Total of abov	ve Calcula	tions =	\$
	Reduction by 50%			Note 37 CFR 1.9	, 1.27, 1.	.28)	\$
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12 a	Receipt for Facsim	nile Transmitt	ed CPA	(PTO/SB/29A)	)		
b. LXI	Return Receipt Po	stcard (Should	be specifi	cally itemized, Se	e MPEP 5	03)	
13. 📙 01	her:						
NOTE:	The prior appl	ication's corr	esponde	nce address v	will carr	y over	to this CPA
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Customer	Number or Bar Code Labe	al		ach bar code label l	or	Coi	respondence address below
NAME	Bennett J. Berson	n					
	Quarles & Brady	LLP					
ADDRESS	1 South Pinckney	/ Street					
	P O Box 2113						
CITY	Madison		STATE	WI	ZII	CODE	53701-2113
COUNTRY	USA	TEL	EPHONE	608/251-50	000	FAX	608/251-9166
		0.00 to					- 77

NAME	Bennett J. Berson
SIGNATURE	Burethse
Registration No. (Attorney/Agent)	37,094 <sup>U</sup>

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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as Express Mail (ET924501567US) in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Signature and Deposit: April 8, 2002

APR 0 8 2002 4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William F. Dove

Alexandra Shedlovsky

Serial No.: 09/114,973

Filed: 07/14/98

Title: METHOD FOR IDENTIFYING

MUTANTS AND MOLECULES

Date: April 8, 2002

Group Art Unit: 1632

Examiner: J. Woitach

Docket No.: 960296.95491

Bennett J. Berson

## PRELIMINARY AMENDMENT

Commissioner For Patents Washington DC 20231

Dear Sir:

In response to an Office Action mailed November 7, 2001, please amend the application as follows:

## In the Claims:

Please amend Claims 27 and 28 and add new Claims 30 - 42, as follows:

1. A method for identifying a segregating single point mutation at a genetic locus that modifies an index phenotype in a non-human index inbred strain, the segregating mutation causing an outlying phenotype relative to the index phenotype, the method comprising the steps of:

outcrossing at least one male animal of a non-human founder inbred strain to at least one female animal of a non-human index inbred strain to obtain F1 progeny, the founder inbred strain carrying random point mutations relative to a wild-type animal of the founder inbred strain, the index inbred strain carrying a congenic dominant allele at a locus known to confer the index phenotype and being genetically distinguishable from the founder inbred